

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

Alexandria Division

In re:

THE MORGAN CENTER, INC.

Debtor.

CASE NO. 19-13278-BFK

CHAPTER 7

**RESPONSE IN OPPOSITION TO
MICHAEL HANDBERG’S OBJECTION
TO CLAIM OF CAMPBELL FLANNERY PC**

COMES NOW Campbell Flannery, PC, by counsel, and for its Response in Opposition to Michael Handberg’s (“Handberg”) Objection to Claim of Campbell Flannery, PC, states as follows:

1. Campbell Flannery, PC (“CF”) is a scheduled unsecured creditor in the bankruptcy of The Morgan Center, Inc. (“TMC”) and Northern Virginia Advocacy and Counseling Services, Inc. (“NVACS”) (Chapter 7 Case No. 19-13319-BFK) by virtue of representing TMC and NVACS in litigation in the Fairfax County Circuit Court instituted by Handberg (“Fairfax Litigation”).

2. Handberg objects to the claim of CF for three reasons: (1) he has “reason to believe” representation “was undertaken on a contingent fee basis” (2) he “believes” fees were the obligation of [Dr.] Goldberg personally, and not the corporate entities” and (3) CF “failed to provide any documentation in support of its alleged claim.”

3. CF agreed to represent Dr. Felicia Goldberg and The Morgan Center, Inc. in the appeal to the Supreme Court of Virginia by Handberg. The Assignment Agreement of Dr. Goldberg's judgment was the only consideration required of Dr. Goldberg for defending the appeal. The engagement agreement also referenced the Fairfax Litigation, which at this time was only the claim brought by Handberg against TMC and NVACS. The engagement agreement was supplemented by an oral confirmation of the services provided by CF solely on behalf of TMC and NVACS.

4. The services provided to TMC and NVACS were billed at the ordinarily hourly rates of the attorneys and paralegals at CF. Dr. Goldberg did not guarantee these obligations, nor were the payment of these obligations contingent upon any outcome in any case. The invoices produced to Handberg in discovery reflect the *bona fide* balance due from TMC and NVACS.

5. CF has produced to Handberg copies of its engagement agreement, assignment agreement and invoices in response to discovery requests. (See Exhibit A attached hereto)

WHEREFORE CAMPBELL FLANNERY, PC, by counsel, respectfully requests this Court enter an Order overruling Michael Handberg's Objection to its Proof of Claim; and such further relief as this Court deems appropriate.

CAMPBELL FLANNERY, PC
By Counsel

/s/ James P. Campbell
James P. Campbell, Esq. (VSB #25097)
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Counsel for the Defendant

CERTIFICATE OF SERVICE

I hereby certify that service of a true copy of the foregoing has been made as follows:

Type of Service:	Electronic Mail via ECF through the United State Bankruptcy Court and First Class Mail
Date of Service:	June 10, 2020
Persons served and address:	Kevin M. O'Donnell, Esq. Jeffery T. Martin, Jr., Esq. Henry & O'Donnell, P.C. 300 N. Washington Street, Suite 204 Alexandria, Virginia 22314
Item Served:	Response in Opposition to Michael Handberg's Objection to Claim of Campbell Flannery, PC

James P. Campbell
James P. Campbell